



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

18 April 2008

This report summarizes regulatory items reviewed by the NASA RRAC PC. Items that appeared to have limited interest to the NASA community, or are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "71 FR 51967," are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility.

Previous issues of this regulatory summary are archived on the RRAC PC website at <http://www.rracpc.org>. Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Lead, Sharon Scroggins/MSFC at 256-544-7932 (sharon.scroggins@nasa.gov).

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Acronyms

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| AEGL = Acute Exposure Guideline Level | MDE = Maryland Department of the Environment |
| AIL = Action Initiation List | Md.R. = <i>Maryland Register</i> |
| ANPRM = Advance Notice of Proposed Rulemaking | MSFC = Marshall Space Flight Center |
| ARB = Air Resources Board | NAAQS = National Ambient Air Quality Standards |
| CAA = Clean Air Act | NASA = National Aeronautics and Space Administration |
| CAAWG = Clean Air Act Working Group | NESHAP = National Emission Standards for Hazardous Air Pollutants |
| CCR = <i>California Code of Regulations</i> | NO ₂ = Nitrogen dioxide |
| CDL = Commercial driver's license | NO _x = Nitrogen oxide |
| CFR = <i>Code of Federal Regulations</i> | NPRM = Notice of Proposed Rulemaking |
| CLP = Commercial learner's permit | NSPS = New Source Performance Standards |
| COMAR = Code of Maryland Regulations | OAC = Ohio Administrative Code |
| CRNR = <i>California Regulatory Notice Register</i> | OEPA = Ohio Environmental Protection Agency |
| CRT = Cathode ray tube | ORAM = Ohio Road Assessment Method for Wetlands |
| CWA = Clean Water Act | PFAC = Perfluoroalkyl carboxylate |
| DEA = Draft Economic Analysis | PFAS = Perfluoroalkyl sulfonate |
| EPA = U.S. Environmental Protection Agency | PM = Particulate matter |
| ERA = Environmental Risk Assessment | PSD = Prevention of significant deterioration |
| ERP = Environmental resource permits | RCRA = Resource Conservation and Recovery Act |
| F.A.C. = Florida Administrative Code | RIN = Regulatory Identification Number |
| FAW = <i>Florida Administrative Weekly</i> | RRAC PC = Principal Center for Regulatory Risk Analysis and Communication |
| FDEP = Florida Department of Environmental Protection | SIP = State implementation plan |
| FIFRA = Federal Insecticide, Fungicide, and Rodenticide Act | SJRWMD = St. Johns River Water Management District |
| FR = <i>Federal Register</i> | SNUR = Significant New Use Rule |
| F.S. = Florida Statutes | tpy = Tons per year |
| GHG = Greenhouse gases | U.S. = United States |
| GSE = Ground support equipment | Va.R. = <i>Virginia Register</i> |
| HAP = Hazardous air pollutant | VAC = Virginia Administrative Code |
| HCFC = Hydrochlorofluorocarbon | VOC = Volatile organic compound |
| IRIS = Integrated Risk Information System | VSMP = Virginia Stormwater Management Permit |
| kV = Kilovolt | WCI = Western Climate Initiative |
| LAC = Louisiana Administrative Code | |

1.0 U.S. Federal Regulatory Review

1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts to NASA Centers and Programs.

| RRAC PC Tracking Number | Subject | Date | Citation | Type Action | Description | Suggested Actions |
|-------------------------|--|------------|-----------------------------|---------------|---|-------------------|
| Fed42308-1 | CAA NAAQS-NO ₂ | 04/14/2008 | 73 FR 20045 | Notice | Draft Risk and Exposure Assessment Reports for Nitrogen Dioxide Notice of availability for public review and comment on the following two draft documents: <ul style="list-style-type: none"> ▪ Risk and Exposure Assessment to Support the Review of the NO2 Primary NAAQS: First Draft. ▪ "Risk and Exposure Assessment to Support the Review of the NO2 Primary NAAQS: Draft Technical Support Document." Comments due 05/01/2008. | |
| Fed42308-2 | CAA NSPS and NESHAP Alternative Test Methods | 04/07/2008 | 73 FR 18794 | Notice | Recent Postings of Broadly Applicable Alternative Test Methods Annual notice summarizing the broadly applicable alternative test method approval decisions made in 2007 related to NSPS and NESHAP. | |
| Fed42308-3 | CDL Standards | 04/09/2008 | 73 FR 19281 | Proposed Rule | Federal Motor Carrier Safety Administration CDL Testing and CLP Standards [49 CFR Parts 383, 384, and 385] Proposes to revise the CDL knowledge and skills testing standards, and to require new minimum standards for CLPs. Also proposes that a CLP holder meet virtually the same requirements as those for a CDL holder. This means that a driver holding a CLP would be subject to the same driver disqualification offenses as a CDL holder. Comments due 06/09/2008 [RIN 2126-AB02]. For further information, see the Commercial Driver's License Program website. | |
| Fed42308-4 | Climate Change | 04/14/2008 | 73 FR 20034 | Notice | National Oceanic and Atmospheric Administration U.S. Climate Change Science Program Synthesis and Assessment Product Draft Report 1.3, "Re-analyses of Historical Climate Data for Key Atmospheric Features. Implications for Attribution of Causes of Observed Change" Announces public comment period for the draft report titled, U.S. Climate Change Science Program Synthesis and Assessment Product 1.3, "Re-analyses of historical climate data for key atmospheric features. Implications for attribution of causes of observed change." Comments due 05/29/2008 [RIN 0648-XH06]. | |

| RRAC PC Tracking Number | | | Citation | Type Action | Description | Suggested Actions |
|-------------------------|--|------------|-----------------------------|--------------------|---|-------------------|
| | Subject | Date | | | | |
| Fed42308-5 | CWA | 04/10/2008 | 73 FR 19593 | Final Rule | U.S. Army Corps of Engineers and EPA | |
| | Compensatory Mitigation | | | | Compensatory Mitigation for Losses of Aquatic Resources [33 CFR Parts 325 and 332, 40 CFR Part 230] Finalizes regulations governing compensatory mitigation for activities authorized by permits issued by the Department of the Army (including CWA Section 404 permits). The regulations establish performance standards and criteria for the use of permittee-responsible compensatory mitigation, mitigation banks, and in-lieu programs. Highlights of the final rule include the following: <ul style="list-style-type: none"> ▪ Emphasizes a watershed approach in selecting compensatory mitigation project locations. ▪ Requires measurable, enforceable ecological performance standards and regular monitoring for all types of compensation. ▪ Specifies the components of a complete compensatory mitigation plan. ▪ Establishes a preference for the use of mitigation bank credits. ▪ Revises the requirements for in-lieu fee programs. Effective 06/08/2008 [RIN 0710-AA55]. | |
| Fed42308-6 | Endangered Species | 04/16/2008 | 73 FR 20702 | Notice | U.S. Fish and Wildlife Service Endangered and Threatened Wildlife and Plants; 5-Year Status Review of 18 Southeastern Species Notice that 5-Year Status Reviews have been initiated for 18 Southeastern species. Comments due 06/16/2008. | |
| Fed42308-7 | Energy Conservation Standards Air Conditioners and Heat Pumps | 04/07/2008 | 73 FR 18857 | Proposed Rule | Department of Energy, Office of Energy Efficiency and Renewable Energy Energy Conservation Program for Commercial and Industrial Equipment: Packaged Terminal Air Conditioner and Packaged Terminal Heat Pump Energy Conservation Standards [10 CFR Part 431] Proposes amended energy conservation standards for packaged terminal air conditioners and packaged terminal heat pumps. Public meeting to be held 05/01/2008 in Washington, D.C. Comments due 06/06/2008 [RIN 1904-AB44]. | |
| Fed42308-8 | Hazardous Material Transport Rail Shipments | 04/16/2008 | 73 FR 20751 | Interim Final Rule | Pipeline and Hazardous Materials Safety Administration Hazardous Materials: Enhancing Rail Transportation Safety and Security for Hazardous Materials Shipments [49 CFR Parts 172 and 174] Revises requirements in the Hazardous Materials Regulations applicable to the safe and secure transportation of hazardous materials transported in commerce by rail. Requires rail carriers to compile annual data on certain shipments of explosive, toxic by inhalation, and radioactive materials, to use the data to analyze safety and security risks along rail routes where those materials are transported, to assess alternative routing options, and to make routing decisions based on those assessments. Clarifies rail carriers' responsibility to address issues related to en route storage and delays in transit. Adopts a new requirement for rail carriers to inspect placarded hazardous materials rail cars for signs of tampering or suspicious items. Comments due 05/16/2008. Voluntary compliance authorized 05/16/2008. Effective 06/01/2008 [RIN 2137-AE02]. | |

| RRAC PC Tracking Number | Subject | Date | Citation | Type Action | Description | Suggested Actions |
|-------------------------|--|------------|-----------------------------|---------------|--|-------------------|
| Fed42308-9 | Hazardous Materials Transport | 04/14/2008 | 73 FR 20006 | Notice | <p>Pipeline and Hazardous Materials Safety Administration</p> <p>Hazardous Materials: Improving the Safety of Railroad Tank Car Transportation of Hazardous Materials [49 CFR Parts 171, 173, 174 and 179]</p> <p>Announces a series of public meetings related to proposed revisions (73 FR 17817, 04/01/2008) to the Federal Hazardous Materials Regulations. Proposed revisions are intended to improve the crashworthiness protection of railroad tank cars designed to transport poison inhalation hazard materials. Public meetings to be held in Washington, D.C., on 05/14/2008, 05/15/2008, 05/28/2008, and 05/29/2008 [RIN 2130-AB69].</p> | |
| Fed42308-10 | Hazardous Substances AEGLs | 04/16/2008 | 73 FR 20636 | Notice | <p>National Advisory Committee for Acute Exposure Guideline Levels for Hazardous Substances; Proposed AEGL Values; Notice of Availability</p> <p>Provides a list of 62 hazardous chemicals for proposed AEGL values that are available for public review. AEGLs provide information about short-term exposures to hazardous chemicals. Comments due 05/16/2008.</p> | |
| Fed42308-11 | IRIS Thallium | 04/08/2008 | 73 FR 19063 | Notice | <p>Draft Toxicological Review of Thallium: In Support of the Summary Information in the IRIS</p> <p>Announces an external peer review workshop to review the external review draft document titled, "Toxicological Review of Thallium: In Support of Summary Information on the Integrated Risk Information System." The workshop will be held 05/18/2008 in Arlington, Virginia.</p> | |
| Fed42308-12 | Nuclear National Source Tracking System | 04/11/2008 | 73 FR 19749 | Proposed Rule | <p>Nuclear Regulatory Commission</p> <p>Expansion of the National Source Tracking System [10 CFR Parts 20 and 32]</p> <p>Proposes to amend regulations to expand the current National Source Tracking System to include certain additional sealed sources. Would include Category 3 radiation sources, which typically are used in practices such as fixed industrial gauges involving high-activity sources. Amendments would require licensees to report certain transactions of these sources including manufacture, transfer, receipt, disassembly, or disposal. Would also require each licensee to provide its initial inventory of nationally tracked sources and annually verify the information in the system. Comments on the proposed rule due 06/25/2008. Comments on the information collection aspects due 05/12/2008 [RIN 3150-AI29].</p> | |
| Fed42308-13 | Safety Indoor Firing Ranges | 04/17/2008 | 73 FR 20927 | Notice | <p>National Institute for Occupational Safety and Health</p> <p>Announces the availability of the following draft document available for public comment entitled, "Preventing Occupational Exposures to Lead and Noise at Indoor Firing Ranges." Comments due 06/30/2008.</p> | |

| RRAC PC Tracking Number | Subject | Date | Citation | Type Action | Description | Suggested Actions |
|-------------------------|--|------------|-----------------------------|-------------|--|-------------------|
| Fed42308-14 | Toxic Substances Interaction Profiles | 04/18/2008 | 73 FR 21135 | Notice | <p>Agency for Toxic Substances and Disease Registry Availability of Two Interaction Profiles (Draft Documents)</p> <p>Announces availability for public comment the following two draft interaction profiles:</p> <ul style="list-style-type: none"> ▪ Interaction Profile for Carbon Monoxide, Formaldehyde, Methylene Chloride, Nitrogen Dioxide, and Tetrachloroethylene. ▪ Interaction Profile for Chloroform, 1,1-Dichloroethylene, Trichloroethylene, and Vinyl Chloride. <p>Interaction profiles evaluate data on the toxicology of a mixture, when available, and on the joint toxic action of the chemical in the mixture. Comments due 07/14/2008.</p> | |
| Fed42308-15 | Toxic Substances Toxicological Profiles | 04/08/2008 | 73 FR 19069 | Notice | <p>Agency for Toxic Substances and Disease Registry Availability of Final Toxicological Profiles</p> <p>Announces the availability of the following seven updated final toxicological profiles of priority hazardous substances:</p> <ul style="list-style-type: none"> ▪ Acrolein ▪ Arsenic ▪ Barium ▪ Benzene ▪ Heptachlor and Heptachlor Epoxide ▪ Lead ▪ Xylenes | |
| Fed42308-16 | Watershed Management | 04/14/2008 | 73 FR 20047 | Notice | <p>Application of Watershed Ecological Risk Assessment Methods to Watershed Management</p> <p>Announces the availability of a final report, titled, "Application of Watershed Ecological Risk Assessment Methods to Watershed Management." The report supplements the Guidelines for Ecological Risk Assessment (EPA, 1998a) by addressing issues unique to ecological assessments of watersheds. Presents guidance and examples for scientists performing watershed ecological assessments. Each activity and phase of the watershed ERA process is explained sequentially.</p> | |

1.2 Status of Continuing Actions in Progress

This section provides the status of selected actions the RRAC PC currently is tracking for possible program-related impacts. Questions about any of these actions or suggestions for additions to this list should be directed to Sharon Scroggins/MSFC.

| | Significant Dates <i>italic = tentative</i> | Subject Action [RIN] | Type of Action | Comments |
|--------------|--|--|----------------|---|
| NPRM | <i>05/2008</i> | NESHAP: | Pre-rule | Possible impact to Ground Operations. |
| Final Action | <i>05/2009</i> | Defense Land Systems and Miscellaneous Equipment [2060-AM84] | | Will cover surface cleaning, preparation, coating, and stripping operations on non-flight hardware at some NASA facilities. Could affect launch pads and GSE. |

| Significant Dates <i>italic = tentative</i> | | | Subject Action [RIN] | Type of Action | Comments |
|--|------------|-----------------------------|---|-------------------|--|
| ANPRM | 03/29/2007 | 72 FR 14734 | NESHAP: Risk and Technology Review, Phase II [2060-AN85] | Pre-rule | Possible space vehicle operational or materials impacts. |
| NPRM | 11/2007 | | | | Evaluation of residual risk remaining after the implementation of numerous NESHAPs, including those regulating the Aerospace and Chrome Electroplating source categories. This rulemaking represents a relatively low risk of EPA imposing limits on HAP and VOC levels contained in coatings, cleaning solvents, and other materials used on flight hardware. Potential further restrictions on the chrome electroplating or other source categories also could affect vendor facilities. |
| Final Action | 11/2008 | | | | |
| NPRM | 07/16/2007 | 72 FR 38951 | National VOC Rule for Aerosol Coatings [2060-AN69] | Final Rule | Possible space vehicle materials impacts. |
| Final Action | 03/24/2008 | 73 FR 15603 | | | The rule would impose limits on VOC content for aerosol coatings. The limits would apply to coating manufacturers, and could be a driver for formulation changes to reduce VOC content. |
| Amendments Direct Final Rule | 03/24/2008 | 73 FR 15421 | | | |
| Final Amendments | TBD | | | | |
| NPRM | 01/03/2007 | 72 FR 69 | NESHAP General Provisions-Once In, Always In [2060-AM75] | Proposed Rule | Possible impacts to facilities, including space flight support facilities. |
| Final Action | 12/2007 | | | | Could have an effect on how NESHAPs affect certain NASA Centers and vendor facilities. |
| NPRM | 05/2008 | | HCFC Labeling [2060-AO68] | Pre-rule | Administrative requirement for certain space vehicle materials. |
| Final Action | 05/2009 | | | | Would require containers of materials containing HCFCs to bear warning statements. |
| NPRM | 04/03/2008 | 73 FR 18333 | Area Sources: Metal Fabrication and Finishing [2060-AO27] | Proposed Rule | Possible space vehicle materials or supply chain impacts. |
| Comments Due | 05/05/2008 | | | | Proposes emission standards, primarily in the form of management practices and equipment standards for area sources of metal fabrication or finishing metal HAP defined to be compounds of cadmium, chromium, lead, manganese, and nickel; or a source of volatile organic HAP from spray painting operations; which performs metal fabrication or finishing operations in one of the following nine source categories: |
| Final Action | 06/2008 | | | | <ul style="list-style-type: none"> ▪ Electrical and Electronic Equipment Finishing Operations ▪ Fabricated Metal Products ▪ Fabricated Plate Work (Boiler Shops) ▪ Fabricated Structural Metal Manufacturing ▪ Heating Equipment, except Electric ▪ Industrial Machinery and Equipment: Finishing Operations ▪ Iron and Steel Forging ▪ Primary Metal Products Manufacturing ▪ Valves and Pipe Fittings Targeted operations include dry abrasive blasting, machining, dry grinding and dry polishing with machines, spray painting and other spray coating, and welding operations. |
| NPRM | 03/14/2008 | 73 FR 14125 | Area Sources: Plating and Polishing [2060-AM37] | Proposed Rule | Possible space vehicle materials or supply chain impacts. |
| Final Action | 06/2008 | | | | Proposes air emissions reduction requirements for area sources of HAPs in the plating and polishing industry. Does not cover chromium electroplating or chromium anodizing; does cover chromium conversion coating operations at area sources. |
| NPRM | 03/07/2006 | 71 FR 11483 | SNUR: Perfluorinated Polymers [2070-AD58] | Proposed Rule | Possible space vehicle materials impacts. |
| Final Action | 04/2008 | | | | Rule could limit new U.S. production of any new materials or significant uses of perfluorinated polymers including those containing PFASs; PFACs; fluorotelomers; or perfluoroalkyl moieties that are covalently bound to a carbon or a sulfur atom where the carbon or sulfur atom is an integral part of the polymer molecule. |
| ANPRM | TBD | | Regulation of Greenhouse Gases under the CAA [2060-AP12] | Pre-Rule | Potential for program impacts unknown at this time. |
| NPRM | TBD | | | | Will solicit input regarding the regulation of CO ₂ and other greenhouse gases using existing regulatory options under the Clean Air Act. |
| Final Action | TBD | | | | |

| Significant Dates <i>italic = tentative</i> | | Subject Action [RIN] | Type of Action | Comments |
|--|------------|---|-------------------|--|
| NPRM | <i>TBD</i> | Control Techniques Guidelines for Coating Operations [2060-AP01] | Pre-Rule | Possible space vehicle materials or supply chain impacts |
| Final Action | <i>TBD</i> | | | Guidelines for States to use in establishing VOC limits for certain kinds of coatings, including those intended miscellaneous metal parts and plastic parts. Could affect material formulations. |
| NPRM | <i>TBD</i> | National VOC Rule for Industrial Adhesives and Sealants | Pre-Rule | Possible space vehicle materials or supply chain impacts |
| Final Action | <i>TBD</i> | | | Will establish VOC limits for certain types of adhesives and sealants; could affect material formulations. |

1.3 Significant News and Other Developments

1.3.1 EPA Publishes Proposed Rule for Metal Finishing at Area Sources

EPA published the proposed area source rule for the NESHAP: Area Source Standards for the Metal Fabrication and Finishing Industry on 3 April 2008 ([73 FR 18333](#)). The rule, when finalized, will regulate metal fabrication and finishing operations at area sources of HAPs. Area sources are those sources of HAPs that have the potential to emit less than 10 tpy of any single HAP and less than 25 tpy of any combination of HAPs.

EPA will accept public comment on the proposed rule through 5 May 2008, unless a public hearing is requested by 14 April 2008. If a hearing is requested, written comments must be submitted by 19 May 2008. EPA is under a court order to finalize the rule by 15 June 2008.

NASA Centers and Programs are advised to review this proposal to identify potential adverse impacts, and should note that it *does not* include an exemption for space vehicle-related operations. Thus, flight hardware-related and other metal fabrication and finishing operations that are conducted at area source facilities may be required to comply with the requirements of this rule. The RRAC PC has prepared a brief summary of the proposal, which is posted on the [website](#). Any issues or adverse impacts should be identified immediately to Sharon Scroggins/MSFC to facilitate preparation and submittal of comments to EPA by 5 May 2008.

1.3.2 EPA Implements Action Initiation Lists to Provide Notifications of New Rules

EPA is using AILs to notify the public about new rules and other regulatory actions. AILs will be posted on the EPA Web site monthly, and will describe those actions that were approved for commencement during the given month. Formerly, such emerging regulatory information was published in EPA's *Semiannual Regulatory Agenda*.

The AILs provide summaries, agency contacts, and other information about the rules EPA has approved for development. For example, the March 2008 AIL announces the agency's plans to issue an advanced notice of proposed rulemaking for GHGs in the near future. This notice will solicit public input as EPA considers the specific effects of climate change and potential regulation of GHG emissions from stationary and mobile sources under the CAA. The March AIL also announces the agency's plans to propose a rulemaking that builds on EPA's existing renewable fuels standard program. The expansion of the program was mandated by the 2007 Energy Independence and Security Act. The February 2008 AIL included, among other things, plans to address VOC emissions from industrial adhesives and sealants, as well as certain

coating operations; HAP regulations for reinforced plastic composites and halogenated solvent cleaning; and uses of elemental mercury in certain types of equipment.

The February and March 2008 AILs are now available. EPA expects to release the April AIL around 15 May 2008. The AILs are available on [EPA's website](#).

1.3.3 EPA Announces Changes to IRIS Process

EPA's Office of Research and Development will revise the IRIS process for developing chemical assessments to include an expanded process for recommending a substance be assessed; earlier involvement of other agencies and the public; hosting "listening sessions" to allow for the broader participation and engagement of interested parties; and a more rigorous scientific peer review of IRIS assessments. EPA is aiming to create a more consistent and streamlined process for conducting IRIS assessments. IRIS provides human health risk assessment information regarding the potential adverse health effects that may result from exposure to more than 540 contaminants. The system includes descriptions of hazard identification, dose-response information, quantitative risk estimates for chronic non-cancer and cancer effects, and access to searchable scientific documentation. Additional information about the revisions is available on [EPA's website](#).

1.3.4 EPA Publishes Annual National Greenhouse Gas Inventory

EPA has released the national GHG inventory indicating that overall emissions during 2006 decreased by 1.1 percent from 2005. The U.S. submits the report, [Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2006](#), annually to the Secretariat of the United Nations Framework Convention on Climate Change, which sets an overall framework for intergovernmental efforts to address climate change.

Total emissions of the six main greenhouse gases (carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride) emitted in 2006 were equivalent to 7,054.2 million metric tons of carbon dioxide. Overall emissions have grown by 14.7 percent from 1990 to 2006, while the U.S. economy has grown by 59 percent.

The decrease in emissions in 2006 was attributed to the following:

- Warmer winter conditions during 2006 than 2005, which decreased the consumption of heating fuels, as well as cooler summer conditions, which reduced the demand for electricity.
- Restraint on fuel consumption caused by rising fuel prices.
- Increased use of natural gas and renewable fuels in the electric power sector.

1.4 Clean Air Act Working Group Updates

1.4.1 Clean Air Act Working Group Telecons for 2008

The CAAWG will hold telecons on the following Wednesdays in 2008 at 2 p.m. ET, 1 p.m. CT, 12 p.m. MT, and 11 a.m. PT:

- 21 May
- 18 June
- 16 July
- 20 August
- 19 November

2.0 State Regulatory Reviews

The following sections provide details of the regulatory actions reviewed for selected states in which NASA facilities and related operations are located.

2.1 Alabama State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Alabama.

2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in California. Citations of the [CRNR](#) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (.pdf) file format.

| Tracking Number | Subject | Date Published | Ref. Page | Type Action | Description | Suggested Actions |
|-----------------|--------------------------------------|----------------|--|------------------|--|-------------------|
| CA042308-1 | Air Engines | 04/17/2008 | CRNR 2008, 16z, p. 619 | Notice | Air Resources Board Portable Engine and Equipment Registration [17 CCR 2451, 2452, 2453, 2458, 2461] Rescinds changes to the numbering hierarchy of the definitions section of the rule, restoring the original alpha format, in order to preserve the integrity of cross-references in other regulations. Effective 04/07/2008. | |
| CA042308-2 | Critical Habitat | 04/15/2008 | 73 FR 20237 | Proposed Rule | U.S. Fish and Wildlife Service, Department of the Interior Designation of Critical Habitat for the Bay Checkerspot Butterfly (<i>Euphydryas editha bayensis</i>) [50 CFR 17] Announces the reopening of the comment period. Also announces the availability of the DEA of the proposed revised critical habitat designation and an amended required determinations section of the proposal. Comments due 05/15/2008. [RIN 1018-AV24] | |
| CA042308-3 | Ecological Reserves | 04/11/2008 | CRNR 2008, 15z, p. 571 | Notice | Fish and Game Commission Ecological Reserves [14 CCR 630] Removes two and adds seven ecological reserve areas. Provides special area regulations to allow or limit specific activities, including restrictions on entry to the ecological reserves. Effective 04/25/2008. | |
| CA042308-4 | Proposition 65 Dibromoacetic Acid | 04/17/2008 | CRNR 2008, 16z, p. 602 | Notice of Intent | Office of Environmental Health Hazard Assessment Notice of Intent to List Dibromoacetic Acid Announces intent to list the chemical dibromoacetic acid as known to the state to cause cancer. Comments due 05/19/2008. | |
| CA042308-5 | Proposition 65 Nitromethane | 04/11/2008 | CRNR 2008, 15z, p. 571 | Notice | Office of Environmental Health Hazard Assessment Specific Regulatory Levels Posing No Significant Risk–Nitromethane [22 CCR 12705(b)] This action adds exposure to nitromethane at up to 39 micrograms per day to the list of exposures to chemicals deemed to pose no significant risk of cancer. Effective 04/26/2008. | |

2.3 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Florida.

| Tracking No. | Subject | Date Published | Ref. Page | Type Action | Description | Suggested Actions |
|--------------|--|----------------|-------------------------------------|-------------------------------------|--|-------------------|
| FL042308-1 | Air Permits | 04/04/2008 | FAW Notice #5303492 | Notice Rule Development Workshop | Chapter 62–FDEP 4.050–Procedures to Obtain Permits and Other Authorizations: Applications The proposed rule development involves amendments to rule language in Chapter 62-4, F.A.C., clarifying that, for one or more emissions units, the fee for an air construction permit shall not exceed \$7,500, and the fee for an air operation permit shall not exceed \$4,000. A workshop will be held 04/18/2008 at FDEP Headquarters, Tallahassee, Florida. | |
| FL042308-2 | Air Permits | 04/04/2008 | FAW Notice #5340740 | Notice Rule Development Workshop | Chapter 62–FDEP 213–Operation Permits for Major Sources of Air Pollution The proposed rule development involves an amendment to the Title V Fee Form, FDEP Form No. 62-213.900(1), to clarify that the form must be postmarked by 1 March. A workshop will be held 04/18/2008 at FDEP Headquarters, Tallahassee, Florida. | |
| FL042308-3 | Air Pollution Controls | 04/04/2008 | FAW Notice #5310767 | Notice Rule Development Workshop | Chapter 62–FDEP 204–Air Pollution Control–General Provisions The proposed rule development involves amendments to do the following: <ul style="list-style-type: none"> Revise the definition of “PM10” to correct an erroneous reference to EPA rules. Update the SIP processing rule to simply reference the provisions of 40 CFR Part 51, Subpart F. Add clarifying language to the adoption by reference of EPA emissions test Method 23. A workshop will be held 04/18/2008 at FDEP Headquarters, Tallahassee, Florida. | |
| FL042308-4 | Electric and Magnetic Fields | 04/18/2008 | FAW Notice #5514273 | Notice of Change | Chapter 62–FDEP 814–Electric and Magnetic Fields Changes have been made to the proposed rule, FAW Notice #5060119 and amended in FAW Notice #5206007 . The changes to rule Section 62-814, F.A.C., include the following: <ul style="list-style-type: none"> Reworded text in Section 62-814(2)(a) Findings Changed the number of categories from three to two in Section 62-814(4) Categories of Electrical Facilities Revised kV Ratings in the <i>Table of New Transmission Line and Substation Standards</i> | |
| FL042308-5 | Energy Renewable Energy Technologies and Energy Efficiency | 04/18/2008 | FAW Notice #5522227 | Notice Rule Development | Chapter 62–FDEP 16–Renewable Energy Technologies and Energy Efficiency Proposes rule amendments to clarify rules with respect to the Renewable Energy Technologies Grants Program and to allow for the implementation of an online application system for the Solar Energy Systems Incentives Program. | |

| Tracking No. | Subject | Date Published | Ref. Page | Type Action | Description | Suggested Actions | | | | | | | | | | | | |
|------------------------|--|----------------|-------------------------------------|----------------------------------|---|-----------------------|--|-----------------------|-----------------------------------|-----------------------|--------------------------------|-----------------------|--|-----------------------|---|------------------------|--|--|
| FL042308-6 | Energy and Climate Change | 04/11/2008 | FAW Notice #5496910 | Notice Meetings | <div>Chapter 62–Governor’s Action Team on Energy and Climate Change</div> <div>The following are teleconference meetings of the technical workgroups associated with the Governor’s Action Team on Energy and Climate Change to continue the discussion of policy issues regarding the development of a comprehensive Energy and Climate Change Action Plan that will address statewide GHG reductions specified in Executive Order 07-127:</div> <table><tr><td>05/07/2008, 1:30 p.m.</td><td>Energy Supply and Demand Technical Workgroup</td></tr><tr><td>05/07/2008, 2:00 p.m.</td><td>Cap and Trade Technical Workgroup</td></tr><tr><td>05/12/2008, 1:00 p.m.</td><td>Adaptation Technical Workgroup</td></tr><tr><td>05/14/2008, 9:00 a.m.</td><td>Government Policy Coordination Technical Workgroup</td></tr><tr><td>05/14/2008, 1:00 p.m.</td><td>Transportation and Land Use Technical Workgroup</td></tr><tr><td>05/20/2008, 10:00 a.m.</td><td>Agriculture, Forestry, and Waste Technical Workgroup</td></tr></table> <div>Teleconference call in numbers and codes are available in the FAW Notice.</div> | 05/07/2008, 1:30 p.m. | Energy Supply and Demand Technical Workgroup | 05/07/2008, 2:00 p.m. | Cap and Trade Technical Workgroup | 05/12/2008, 1:00 p.m. | Adaptation Technical Workgroup | 05/14/2008, 9:00 a.m. | Government Policy Coordination Technical Workgroup | 05/14/2008, 1:00 p.m. | Transportation and Land Use Technical Workgroup | 05/20/2008, 10:00 a.m. | Agriculture, Forestry, and Waste Technical Workgroup | |
| 05/07/2008, 1:30 p.m. | Energy Supply and Demand Technical Workgroup | | | | | | | | | | | | | | | | | |
| 05/07/2008, 2:00 p.m. | Cap and Trade Technical Workgroup | | | | | | | | | | | | | | | | | |
| 05/12/2008, 1:00 p.m. | Adaptation Technical Workgroup | | | | | | | | | | | | | | | | | |
| 05/14/2008, 9:00 a.m. | Government Policy Coordination Technical Workgroup | | | | | | | | | | | | | | | | | |
| 05/14/2008, 1:00 p.m. | Transportation and Land Use Technical Workgroup | | | | | | | | | | | | | | | | | |
| 05/20/2008, 10:00 a.m. | Agriculture, Forestry, and Waste Technical Workgroup | | | | | | | | | | | | | | | | | |
| FL042308-7 | SJRWMD Business | 04/18/2008 | FAW Notice #5506804 | Notice Meeting | <div>Chapter 40C–SJRWMD</div> <div>Announces a public meeting to discuss regulatory and non-regulatory matters. The meeting is scheduled for 05/13/2008 at SJRWMD Headquarters, Palatka, Florida.</div> | | | | | | | | | | | | | |
| FL042308-8 | SJRWMD Permits | 04/11/2008 | FAW Notice #5491187 | Notice Correction | <div>Chapter 40C–SJRWMD 4–Environmental Resource Permits: Surface Water Management Systems</div> <div>Makes an administrative correction to the SJRWMD proposal published FAW Notice #5303104 (02/29/2008). In the Purpose and Effect section, the District cited “Section 704.04(6), F.S.,” incorrectly. The statutory citation should have been “Section 704.06(4), F.S.” By this Notice of Correction, the SJRWMD hereby corrects this citation to read Section 704.06(4), F.S.</div> | | | | | | | | | | | | | |
| FL042308-9 | SJRWMD Permits | 04/18/2008 | FAW Notice #5515437 | Notice Rule Development Workshop | <div>Chapter 40C–SJRWMD 4–Environmental Resource Permits: Surface Water Management Systems</div> <div>Proposes to amend the drainage basin and regional watershed figures and tables that are part of the “Applicant’s Handbook: Management and Storage of Surface Waters” and are relevant to the review of applications for ERP and mitigation bank permit applications. A workshop will be held 05/05/2008 at SJRWMD Headquarters, Palatka, Florida.</div> | | | | | | | | | | | | | |
| FL042308-10 | SJRWMD Wetlands and Surface Water | 04/18/2008 | FAW Notice #5506513 | Notice Workshop | <div>Chapter 40C–SJRWMD</div> <div>An informational workshop on Wetlands and Surface Water will be held 05/12/2008 District Headquarters, Palatka, Florida.</div> | | | | | | | | | | | | | |

2.4 Hawaii State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Hawaii.

2.5 Louisiana State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Louisiana.

| Tracking No. | Subject | Date Published | Ref. Page | Type Action | Description | Suggested Actions |
|--------------|--------------------------------|----------------|-------------------------|---------------|--|-------------------|
| LA042308-1 | Hazardous Waste Permits | 04/20/2008 | HW095ft | Final Rule | <p>Louisiana Department of Environmental Quality</p> <p>RCRA XVI Authorization Package (LAC 33:V.105, 109, 199, 303, 305, 311, 321, 322, 513, 529, 530, 535, 536, 537, 1107, 1109, 1113, 1501, 1516, 1529, 1799, 1802, 1907, 2001, 2299, 2603, 2805, 2903, 3001, 3005, 3007, 3105, 3115, 3315, 3319, 3517, 3523, 3719, 4001, 4003, 4005, 4045, 4067, 4301, 4357, 4367, 4379, 4381, 4401, 4439, 4457, 4497, 4507, 4512, 4513, 4701, 4703, 4901, 4903, 4909, 4911, 4913, and 4915)</p> <p>Proposes specific amendments required by EPA for the state to request further authorization for the hazardous waste program. The amendments affect the following issues: manifest rule correction (70 FR 35034.06/16/2005), headworks exemption (70 FR 57769.10/04/2005), hazardous waste combustors regarding Phase I final replacement standards (70 FR 59402.10/12/2005), CFR corrections rule (71 FR 40254, 07/14/2006), and CRT exclusion (71 FR 42928.07/28/2006).</p> | |
| LA042308-2 | Hazardous Waste Record keeping | 04/20/2008 | HW100ft | Proposed Rule | <p>Louisiana Department of Environmental Quality</p> <p>RCRA Burden Reduction Initiative (LAC 33:V.322, 519, 523, 532, 1509, 1513, 1515, 1529, 1737, 1739, 1903, 1905, 1907, 1911, 1913, 2109, 2245, 2246, 2247, 2303, 2515, 2605, 2719, 2803, 2805, 2807, 3007, 3023, 3111, 3119, 3317, 3319, 3517, 3527, 3707, 3711, 3715, 4365, 4367, 4373, 4387, 4395, 4403, 4407, 4411, 4433, 4435, 4437, 4438, 4440, 4441, 4451, 4452, 4462, 4472, 4489, 4498, 4507, 4512, 4701, and 4703)</p> <p>Proposes to implement changes to the hazardous waste program made in 40 CFR Parts 260, 261, 264, 265, 266, 268, 270, and 271, involving changes to record-keeping and reporting requirements. The rule is intended to streamline information collection requirements, ensuring that only the information that is actually needed and used to implement the RCRA program is collected. Comments due 05/27/2008.</p> | |
| LA042308-3 | Hazardous Waste Testing | 04/20/2008 | MM006ft | Proposed Rule | <p>Louisiana Department of Environmental Quality</p> <p>RCRA XVI Management, Testing, and Methods Innovation (LAC 33:V.105, 109, 110, 529, 535, 537, 1127, 1516, 1703, 1711, 1741, 1901, 2223, 2299, 2603, 3001, 3005, 3013, 3025, 3115, 3325, 3807, 3823, 3845, 4003, 4033, 4047, 4067, 4357, 4431, 4727, 4901, 4903, 4909, and 4999; and LAC 33:VII.115 and 3005)</p> <p>Proposes to do the following:</p> <ul style="list-style-type: none"> ▪ Promulgate the RCRA XVI cluster regarding waste management, testing and monitoring activities; methods innovation; an update to SW-846; and in the related sections, record-keeping and reporting requirements to reduce the paperwork burden. ▪ Allow more flexibility when conducting RCRA-related sampling and analysis under the hazardous and nonhazardous solid waste regulations. ▪ Make it easier and more cost-effective to comply with the hazardous waste regulations. ▪ Amend a testing requirement under the CAA in the NESHP for hazardous waste combustors. <p>Comments due 05/27/2008.</p> | |
| LA042308-4 | Radiation Licenses | 04/20/2008 | RP049ft | Proposed Rule | <p>Louisiana Department of Environmental Quality</p> <p>Terms and Conditions of Licenses (LAC 33:XV.326)</p> <p>Proposes regulations to prevent radioactive material in gauges from unauthorized removal when not in use or not attended, such as when in storage or in transport. Comments due 05/27/2008.</p> | |

| Tracking No. | Subject | Date Published | Ref. Page | Type Action | Description | Suggested Actions |
|--------------|----------------------|----------------|-----------------------|---------------|---|-------------------|
| LA042308-5 | Secretary Penalty | 04/20/2008 | MM004 | Proposed Rule | Louisiana Department of Environmental Quality Expedited Penalty Agreement (LAC 33:I.801 and 807 ; VII.115 and 315 ; and XI.703) Proposes additions to the list of violations that may qualify for expedited penalties in LAC 33:I.807 , clarifies existing violations, and adjusts penalty amounts to be consistent across media for similar violations. Comments due 06/03/2008. | |

2.6 Maryland State Regulatory Review

This summary includes items that were reviewed for potential impact to NASA Centers and Programs in Maryland.

| Tracking Number | Subject | Date Published | Ref. Page | Type Action | Description | Suggested Actions |
|-----------------|----------------------------------|----------------|--------------------------------|-----------------|---|-------------------|
| MD042308-1 | Air Air Quality | 04/04/2008 | 35:7 Md.R. 725 | Proposed Action | Maryland Department of the Environment Air Quality Conformity (COMAR 26.11.01.01 and 26.11.06.14) Proposes to adopt the EPA revised rule and future changes to the federal PSD requirements under 40 CFR 52.21 , incorporated by reference under COMAR 26.11.01.01 and 26.11.06.14 . The proposed action will be submitted to EPA as a revision to Maryland's SIP. Comments due 04/30/2008. Public hearing on 04/30/2008. | |
| MD042308-2 | Air Transportation Conformity | 04/04/2008 | 35:7 Md.R. 725 | Proposed Action | Maryland Department of the Environment Air Quality Conformity (COMAR 26.11.26.05) Proposes amendments based on a request from EPA to remove a subsection dealing with PM hotspots that is not necessary in the regulation. Comments due 04/30/2008. Public hearing on 04/30/2008. | |
| MD042308-3 | Air VOCs | 04/11/2008 | 35:8 Md.R. 809 | Final Action | Maryland Department of the Environment Volatile Organic Compounds from Adhesives and Sealants (COMAR 26.11.19.30 and 26.11.35) Finalizes adoption of emissions limits for adhesive application and manufacturing operations under COMAR 26.11.19.30 and VOC standards for over 40 categories of adhesives, sealants, adhesive primers, sealant primers, and cleaning solvents under new chapter COMAR 26.11.35 . New rules would apply to anyone who uses or applies adhesives and sealants for facilities maintenance within Maryland, beginning 01/01/09. Effective 04/21/08. | |
| MD042308-4 | Hazardous Materials Disposal | 04/11/2008 | 35:8 Md.R. 809 | Final Action | Maryland Department of the Environment Disposal of Controlled Hazardous Substances (COMAR 26.13.01-.07, .10; 26.13.02) Finalizes amendments on the disposal of controlled hazardous substances (COMAR 26.13.01-.07, .10). Amendments include: revising definitions of "ignitability" and "reactivity"; adding mercury-containing equipment to the list of "universal wastes"; making certain additions to and deletions from the lists of hazardous wastes in COMAR 26.13.02 ; adding provisions allowing use of a new type of waste management unit known as a "containment building"; and excluding certain materials from the definition of solid waste. Effective 05/01/08. | |

| Tracking Number | Subject | Date Published | Ref. Page | Type Action | Description | Suggested Actions |
|-----------------|-----------------------------------|----------------|--------------------------------|--------------|---|-------------------|
| MD042308-5 | Hazardous Waste Medical Wastes | 04/11/2008 | 35:8 Md.R. 812 | Final Action | Department of the Environment Special Medical Wastes Finalizes amendments to COMAR regulations , revising 1) the definition of "special medical waste" under COMAR 26.13.11.02 , making it consistent with the Maryland Department of Health and Mental Hygiene's definition for special medical waste, and 2) revising Maryland's regulations on packaging and transportation of special medical waste (COMAR 26.13.12.05 and 26.13.13.03) to incorporate requirements of the U.S. Department of Transportation's hazardous materials transportation regulations. Effective date is 04/21/08. . | |

2.7 Mississippi State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Mississippi.

2.8 New Mexico State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of New Mexico.

2.9 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Ohio.

| Tracking No. | Subject | Date Published | Ref. Page | Type Action | Description | Suggested Actions |
|--------------|------------------------|----------------|------------------------------|---------------|--|-------------------|
| OH042308-1 | Air Air Quality–NOx | 04/10/2008 | OEPA Website | Proposed Rule | Division of Air Pollution Control, OEPA Public Hearing–Proposal of Rule Language– "Nitrogen Oxides–Budget Trading Program" [OAC Chapter 3745-14] Proposes amending rules in OAC Chapter 3745-14 , "Nitrogen Oxides–Budget Trading Program" to the Joint Committee on Agency Rule Review, after a public comment period. These rules are part of Ohio's NOx SIP, which calls for the reduction of nitrogen oxides during the ozone season from electrical generation units and large industrial boilers. See OEPA's Response to Comments , rule language , and synopsis for information about the rule changes. Public meeting and comments due 05/20/2008. | |
| OH042308-2 | Water Wetlands | 04/14/2008 | OEPA Website | Public Notice | Division of Surface Water, OEPA Training Session for Ohio Rapid Assessment Method for Wetlands Training sessions for users of ORAM v. 5.0 have been scheduled for 05/14 through 05/15/2008 and 05/28 through 05/29/2008. See the Wetland Ecology Section page for more information and a registration form. | |

2.10 Texas State Regulatory Reviews

No regulatory items of interest were identified during this reporting period for the state of Texas.

2.11 Utah State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Utah.

| Tracking No. | Subject | Date Published | Ref. Page | Type Action | Description | Suggested Actions |
|--------------|-----------------|----------------|--|-------------------|---|-------------------|
| UT042308-1 | Hazardous Waste | 04/15/2008 | UT Bull. Vol. 2008-8, DAR File No. 31090 | Direct Final Rule | Utah Department of Transportation Safety Regulations for Motor Carriers Transporting Hazardous Materials/Wastes Revises list of hazardous substances and reportable quantities. Also corrects errors in existing list of hazardous substances and reportable quantities. Comments due 05/15/2008. | |

2.11.1 Western Climate Initiative Activity

Utah is a member of the WCI and is in the process of developing state-specific recommendations to meet the GHG emission reduction goal established by the WCI. A WCI stakeholder workshop will be held on 21 May 2008 at the Sheraton City Centre in Salt Lake City. To participate in the development of state-specific GHG reduction goals and methods for achieving those goals, interested parties must join [The Climate Registry](#). Registration information is available on the [meeting website](#). Further information regarding the WCI is posted on the [Initiative's website](#).

2.12 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Virginia. Citations of the [Virginia Register](#) (Va.R.) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (.pdf) file format.

| Tracking No. | Subject | Date Published | Ref. Page | Type Action | Description | Suggested Actions |
|--------------|---------------------|----------------|---------------------------------|---------------|---|-------------------|
| VA042308-1 | Air SIP | 04/14/2008 | 24:16 Va.R 2289 | Proposed Rule | Virginia Department of Environmental Quality Proposes a plan to attain and maintain the national ambient air quality standards for very fine PM _{2.5} , which will amend the SIP. A public hearing will be held in Richmond on 04/30/2008. Comments due 05/01/2008. | |
| VA042308-2 | Water Stormwater | 04/14/2008 | 24:16 Va.R 2232 | Notice | Virginia Soil and Water Conservation Board 4 VAC 50-60, VSMP Regulations Board is considering amending the VSMP regulations to develop a new general permit for stormwater discharges from construction activities. Comments due 05/14/2008. | |